Docket No. 275923US-6 RE

PATENT AND TRADEMARK OFFICE IN THE UNIT

IN RE APPLICATION OF: Keiji KANOTA, et al.

GAU:

2616

SERIAL NO: 10/809,913

EXAMINER: CHEVALIER, R.

FILED:

March 25, 2004

FOR:

DATA RECORDING APPARATUS AND METHOD, DATA REPRODUCING

APPARATUS AND METHOD, DATA RECORDING/REPRODUCING APPARATUS AND METHOD, AND TRANSMISSION MEDIUM

## NOTICE OF APPEAL

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated July 28, 2005 The items checked below are appropriate:

- A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for 1 month.
- A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
- A Petition for Extension of Time for filing the Notice of Appeal is attached.
- ☐ A Pre-Appeal Brief Request for Review is attached.

Fee: \$500.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- □ A check is Enclosed
- A credit card payment form is enclosed
- ☐ Charge to Deposit Account No. 15-0030 (an additional copy of this notice is enclosed herewith).
- Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.
- If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

01/31/2006 SZEWDIE1 00000047 10809913

01 FC:1401

500.00 DP

Customer Number

Tel. (703) 413-3000 Fax. (703) 413-2220 (OSMMN 07/05)

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

Bradlev D. Lytle

Registration No. 40,073

Surinder Sachar

Registration No. 34,423